

**THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

EDDIE J. HAYNES, )  
Plaintiff, )  
v. ) CASE NO. 2:06cv1093-WKW  
CITY OF MONTGOMERY, )  
ALABAMA )  
Defendant. )

## **REPORT OF PARTIES PLANNING MEETING**

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on January 25, 2007; Participants were Gerald Miller for the Plaintiff and Kimberly O. Fehl for the Defendant, City of Montgomery.
2. Pre-discovery Disclosures. The parties will exchange the information required by Fed.R.Civ.P. 26(a)(1) within twenty-one (21) days of the court's Scheduling Conference Order.
3. Discovery Plan. The parties jointly propose to the Court the following discovery plan:
  - a. All discovery will be commenced in time to be completed by January 24, 2008.
  - b. A maximum of 60 interrogatories and requests for production of documents (including subparts) may be served by each party. Responses will be due 30 days after service.
  - c. A maximum of 20 requests for admission, other than requests for admissions

used to authenticate documents, may be served by each party. Responses will be due 30 days after service.

- d. A maximum of 12 depositions may be taken by Plaintiff and 12 by Defendant, excluding any experts.
- e. Subjects of Discovery: the claims and defenses of the parties.
- f. Each deposition will be limited to eight hours for parties and four hours for non-parties.
- g. Reports from retained experts under Rule 26(a)(2) are due by Plaintiff on October 9, 2007 and by the Defendant on November 7, 2007.

Supplementations under Rule 26(e) will be due 30 days prior to the discovery cutoff.

- 4. Other Items.
  - a. The parties do not request a conference with the Court before entry of the scheduling order.
  - b. The parties cannot realistically evaluate settlement of this matter until near the close of discovery.
  - c. At this time, the parties do not wish the matter to be considered for proceeding under the Court's Alternative Dispute Resolution Plan.
  - d. The parties must file all dispositive motions by December 3, 2007.
  - e. The parties request a pretrial conference on February 27, 2008.
  - f. Plaintiff should be allowed until November 5, 2007 to join additional parties and to amend the pleadings and Defendants should be allowed until December 5, 2007.
  - g. Final lists of witnesses and exhibits under Rule 26(a)(3) will be due from Plaintiff and Defendant on February 25, 2008.

h. The parties will have 10 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

i. The case should be ready for trial by March 24, 2008 and at this time the trial is expected to take approximately one week.

Dated: January 25, 2007

/s/ Gerald L. Miller  
Gerald L. Miller (mil039)  
Attorney for the Plaintiff  
(e-mail address: GLM@RMClaw.com)

OF COUNSEL:  
Gerald L. Miller, Esq.  
REDDEN, MILLS, & CLARK  
940 Financial Center  
505 North 20<sup>th</sup> Street  
Birmingham, AL 35203  
(205)322-0457

/s/ Kimberly O. Fehl  
KIMBERLY O. FEHL  
Attorney for the Defendant  
Post Office Box 1111  
Montgomery, Alabama 36101-1111  
(334) 241-2050  
kfehl@montgomeryal.gov